



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay

Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 57

Comm #: 54847-9721-48-A
BRRTS #: 03-04-000214
Site Name: Harry's Corner Store
Site Address: Rt 1 Box 79 (6020 County Hwy B), Iron River, 54847

Site Manager: Chris Saari
Address: 2501 Golf Course Rd
City, State Zip: Ashland, WI 54806-3505
Phone: 715-685-2920
e-mail: christopher.saari@wisconsin.gov

Bid Manager: David E. Blair
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-2515
e-mail: David.Blair@Wisconsin.Gov

Bid-Start Date:	October 13, 2008
Questions must be received by (See Section 2 (B)):	October 27, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	November 14, 2008
Bid-End Date and Time:	November 28, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

The Copy Shop-Ashland, 310 Stuntz Ave, Ashland, WI 54806
Phone: (715) 682-6567 Fax: (715) 682-6551

SECTION 2 – Site-Specific Bid Requirements

General Comments

- This is a scope of work bid.
- The site is a former general store with gasoline sales that operated from approximately 1941 to 1991. The store building was torn down prior to June 1999, but the owner's residence remains on the property.
- A leaking 500-gallon leaded gasoline underground storage tank (UST) was reportedly replaced on the property in 1973. Groundwater contamination was first discovered at the site when Department of Natural Resources (DNR) staff collected samples from the site's drinking water well in April and June 1990; benzene at 4.9 and 5.3 micrograms per liter, respectively, was detected in those samples. This well was replaced in November 1998.
- Soil contamination was observed during tank closure activities in June 1992, when one 1,000-gallon unleaded gasoline UST and one 500-gallon leaded gasoline UST and associated pumps and piping were removed from the site. Approximately 55 cubic yards of contaminated soil were also removed at this time and transported off-site for thermal treatment.
- Site soils consist of red clay to silty or sandy clay to a depth between 19.5 and 30.5 feet below ground surface (ft bgs), overlying discontinuous units of varying thicknesses including sand, silty sand, clayey sand and silty clay. A Remedial Action Plan submitted in December 1998 estimated 4,000 cubic yards of contaminated soil in need of remediation. Based on the well construction report for the replacement drinking water well, depth to bedrock is approximately 98 feet.
- Depth to groundwater ranges between 18 and 34 ft bgs, and flow is to the northeast, although the dissolved contaminant plume suggests a northwesterly flow component. Hydraulic conductivity tests conducted in seven monitoring wells determined values ranging from 6.27×10^{-5} and 3.6×10^{-4} cm/sec, with a resultant groundwater flow velocity of approximately 17 ft/yr. The site currently has 13 water table monitoring wells and three sets of 65-foot and 95-foot deep nested piezometers. Water elevation measurements from the well nests indicate a downward vertical gradient is present. Free product has been observed in MW-1, MW-2, MW-3, MW-7 and MW-8, which encompasses an area greater than 4200 square feet. Approximately 72 gallons of free product was recovered through hand bailing and passive collectors prior to June 1999. The dissolved contaminant plume extends approximately 450 feet to the north, northeast and northwest, and concentrations appear to be increasing downgradient in the water table monitoring wells and one of the 65-foot deep piezometers.
- A soil remedial action consisting of excavating 2,424 tons of contaminated soil and treating the soil through off-site landspreading was conducted in June 1999. The excavation was limited laterally and vertically by the presence of adjacent roads and the on-site residence. Significant contamination remained in the excavation sidewalls and at the base in and above the smear zone.
- Free product removal utilizing a vacuum truck was conducted periodically between July 2000 and May 2005, and monthly between March 2007 and November 2007. Approximately 6,900 gallons of free product and water were removed through these efforts.

Minimum Remedial Requirements

As part of this bid we will be approving costs for the development of a remedial action options report (RAOR) as specified in NR 722.13. The RAOR must include a comparison of three remedial options which are chosen based on the criteria outlined in NR 722.07(4) and are designed to 1) address the free product/light non-aqueous phase liquid (LNAPL) in the source area; 2) stop the expansion of the dissolved phase plume both vertically and laterally; and 3) minimize risk of contamination to neighboring potable wells. RAOR options must include a detailed comparison of all costs and benefits associated with the three options. The RAOR must include all costs associated with implementing each of the remedial action options for a period of three years, (proposed technology does not have to be implemented for entire three years, but the time scope of the project will be three years). Costs and descriptions of all tasks associated with but not integral to the remedial technology proposed (e.g., groundwater and private well sampling, reporting, investigative waste disposal) must be included in the proposal for the three-year duration. Each of the three remedial action options explored must utilize active remediation techniques (e.g., in situ chemical oxidant injection, groundwater extraction, soil vapor extraction, LNAPL recovery systems), and should combine multiple remedial technologies if/when appropriate. The RAOR must provide enough description of each remedial action option for the DNR site manager and Comm bid manager to determine the likelihood of success of the remedial actions.

- Note: A RAOR option that relies solely on LNAPL removal to address the dissolved phase portion of the contamination will not be considered to be an acceptable response. Likewise, a RAOR option that relies solely on natural attenuation to address the dissolved phase plume will not be acceptable.
- The RAOR should be submitted within four months of the selected consultant signing a contract. The preparation of the RAOR must be supervised by, and the RAOR must be signed by, a credentialed professional per requirements of NR 712.07. A compliant bid must provide the name and license number of the credentialed professional(s) who will be overseeing the preparation of and signing the RAOR (PE required under 712.07(2) and (3)). If DNR and Commerce agree that one of the proposed options and associated costs are appropriate, Commerce will provide a bid modification cap for the contracted consultant to implement the approved remedial action for the three-year duration. Frequent consultation with DNR site manager and Commerce bid manager during the development of the RAOR will increase the chance that a bid modification will be approved to implement the selected remedial option. If the RAOR options are submitted more than four months after the date the contract is signed, Commerce will not consider approving implementation costs for the contracted consultant but may instead separately bid the implementation of the selected remedial option.
- Pursuant to NR 722.07(2) after preliminary remedial options are identified, the contracted consultant will be required to attend a meeting with the DNR site manager and Commerce bid manager to discuss the feasibility of various remedial options that may be included in RAOR.
- Bidding consulting firms must reference in bid response three examples of sites where they have designed or operated remedial systems (BRRS numbers and brief descriptions for each site referenced would be adequate). Failure to do this will result in a non-compliant bid. If examples provided do not demonstrate a record of proficiently designing or implementing remedial systems the bid will be considered

non-compliant. Consulting firms that are not proficient at operating remedial systems and/or are located too far away from site to make the frequent site visits we anticipate will be necessary should not bid on this scope of work.

- Bidders should be aware that in order to utilize injection of an in situ chemical oxidation compound as a remedial technology, the responsible party must receive prior approval from DNR in the form of an exemption to the requirements of s. NR 140.28, Wis. Adm. Code, and that such approval is a fee-based review under s. NR 749.04, Wis. Adm. Code. The review fee for an injection approval is \$500 and is not a PECFA-reimbursable expense. In addition, the responsible party must obtain coverage under a Wisconsin Pollutant Discharge Elimination System (WPDES) general remediation permit as part of the approval of the remedial injection activities.

Conduct an assessment of LNAPL at the site per the joint Department of Commerce-DNR Assessment Guidance for Sites with Residual Weathered Product. The assessment shall include a sieve analysis of a soil sample collected at the smear zone (approximately 28-33 ft below ground surface) in the area midway between MW-1 and MW-8. The soil for the sieve analysis shall be collected from a soil boring installed at this location. Soil from this depth shall also be analyzed for petroleum volatile organic compounds (PVOC) and polynuclear aromatic hydrocarbons (PAH). The soil boring shall then be converted to a monitoring well installed to an approximate depth of 40 ft below ground surface; the monitoring well shall be labeled as MW-14. Additional LNAPL assessment steps shall include quantitative analyses of LNAPL fluid properties (density, viscosity and surface and interfacial tension parameters) from a sample of LNAPL collected from MW-1 (a listing of labs doing this analysis is available in the April 08 edition of the PECFA Post <http://commerce.wi.gov/ERpdf/pecfa/ERPECFAPostVol8Iss1-0408.pdf>); an analysis of LNAPL thickness versus groundwater elevations from MW-1, MW-2, MW-7 and MW-8 utilizing historic and current data; and an estimate of the volume of residual LNAPL present at the site.

The intent is that the contracted consultant will integrate the results of the LNAPL assessment into the RAOR. Therefore, the contracted consultant will need to schedule the piezometer installation (described below), LNAPL assessment field work and subsequent evaluation accordingly.

Install two piezometers near monitoring well MW-11 to determine the vertical extent of contamination in the distal portion of the dissolved phase plume. One piezometer shall be screened from 60-65 ft below ground surface, and the other shall be screened from 90-95 ft below ground surface. The new piezometers shall be labeled as MW-11P65 and MW-11P95, respectively.

During the four-month RAOR preparation period, conduct one round of groundwater sampling from the monitoring well network. Samples shall be collected from MW-1 (if free product is not present), MW-2 (if free product is not present), MW-3 (if free product is not present), MW-5, MW-5P65, MW-5P95, MW-6, MW-6P65, MW-6P95, MW-7 (if free product is not present), MW-8 (if free product is not present), MW-10, MW-10P65, MW-10P95, MW-11, MW-11P65, MW-11P95, MW-12, and MW-14 (if free product is not present). The groundwater samples shall be analyzed for petroleum volatile organic compounds plus naphthalene, 1,2-dichloroethane and 1,2-dibromoethane, or the full volatile organic compound (VOC) list, whichever method is more cost effective. Groundwater elevation measurements shall be collected from all wells, including MW-4, MW-9 and MW-13, during each sampling event. For purposes of estimating costs for

subsequent groundwater monitoring, assume that the above-described monitoring wells will be sampled for the equivalent parameters on a quarterly basis for the remainder of the three-year RAP implementation period. Modifications to the groundwater monitoring schedule can only be implemented with prior approval of the DNR project manager. Reductions in monitoring schedule or reduction/omissions of other approved tasks may need to be accompanied by a corresponding reduction in the cost cap.

During the four-month RAOR preparation period, collect one sample from the on-site drinking water well and the drinking water wells serving the Suo and Ruark residences, respectively. The samples shall be analyzed for VOC using EPA Method 524.2. The sample results shall be reported to the DNR within 10 days of receipt. For purposes of estimating costs for subsequent private well monitoring, assume that the above-described private wells will be sampled for the equivalent parameters on a semi-annual basis for the remainder of the three-year RAP implementation period.

Following installation of the piezometers described above, create a revised detailed site map that meets the visual aid requirements of s. NR 716.15(2)(h), Wis. Adm. Code. The map shall be to an appropriate scale, and must show the location of all buildings, site features and monitoring wells, along with complete property boundaries for each parcel located within or partially within the limits of groundwater contamination. This map shall serve as the base map for future groundwater flow direction maps.

Following completion of the remedial action options evaluation, submit the RAOR. In addition to the information on remedial action options specified above, this document shall include the following: LNAPL assessment information; groundwater and private well sampling data; the revised site map; water table and potentiometric surface maps specific to each of the groundwater depths investigated at the site; soil boring logs and monitoring well construction forms, and a completed Groundwater Monitoring Well Information Form (Form 4400-89), available at http://www.dnr.state.wi.us/org/water/dwg/gw/forms/4400_89.pdf.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).

6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this

bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.

9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Harry's Corner Store

COMMERCE #: 54847-9721-48

BRRTS #: 03-04-000214

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Harry's Corner Store

COMMERCE #: 54847-9721-48

BRRTS #: 03-04-000214

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	RAOR development - including meeting	\$	
2.a	LNAPL assess; Sieve analysis, soil samples, boring turned into MW-14	\$	
2.b	LNAPL assess; Quant anal LNAPL properties	\$	
2.c	LNAPL assess; LNAPL thickness vs. GW elev	\$	
2.d	LNAPL assess; estimate volume LNAPL	\$	
3	Install two PZs – MW-11P65 and MW-11P95	\$	
4	MW sampling – one round at 19 MWs	\$	
5	Potable well sampling – one round at 3 wells	\$	
6	Detailed site map	\$	
7	Report on all (including RAOR)	\$	
8	PECFA Claim Preparation	\$	
9	Total Bid Amount	\$	

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Harry's Corner Store

COMMERCE #: 54847-9721-48

BRRTS #: 03-04-000214

Consulting Firm Name: _____

Bidding consultants must provide three examples of sites where they have designed or operated remedial systems (BRRTS numbers and brief descriptions for each site referenced would be adequate). Bidding consultants must also provide the name and license number of the credentialed professional(s) who will be overseeing the preparation of and signing the RAOR. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.